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August 13, 2008

by ECF
Honorable George A. Yanthis
United States Courthouse
300 Quarropas Street, Room 521
White Plains, New York 10601

Re: Revella v. Kohl's
Docket No.: 07-cv-03692
Our File No. 8027-1

Dear Judge Yanthis:

As the Court is aware, we represent the Plaintiff in the above-referenced matter.

Plaintiff requests a trial date be scheduled at the Court's earliest convenience.

The Court directed mediation through the Southern District Mediation Program which was unsuccessful. However, I have been advised another mediation date is to be scheduled as Defendant's counsel appeared at the mediation without a person with authority. Plaintiff's counsel does not believe that mediation will be successful and respectfully requests the Court direct such process to be discontinued.

We are willing to attempt mediation if Defendant's attend with a meaningful good faith offer of over \$200,000.00.

Please contact your undersigned if there is any additional information or documentation the Court may deem helpful. Thank you for your attention, assistance and courtesies.

Sincerely,

s/
Joseph J. Ranni

JJR/dmg